

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
AT MEMPHIS

RICHARD A. ATKINSON, M.D., PATRICIA)
B. ATKINSON, DIANA W. CRUMP, FRANK)
D. TUTOR, GWENDOLYN T. TUTOR, H.)
AUSTIN LANDERS, JEANETTE H.)
LANDERS, ALABAMA ELKS TRUST, INC.,)
FRED KRIMM, JONATHAN M. BLOOM,)
TODD R. LEREN, BRENDA BLATT,)
DAJALIS, LTD., HARVEY BERKEY, LARRY)
D. SHAW, NOAH B. KIMBALL, M.D.,)
ROBERT L. SUMMIT, JR., M.D., CHARLES)
B. ANDERSON, M.D., ANDREA L.)
ANDERSON, ELROY N. SCHULER,)
LISBETH R. SCHULER, JAMES H.)
FRAZIER, LLOYD R. THOMAS, M.D.,)
ALBERT R. COLOMBO and PATRICIA A.)
COLOMBO, PHOEBE HECKLE, FERD)
HECKLE, MARYAN MERCER and JOHN R.)
S. ROBILIO, on behalf of themselves and all)
others similarly situated,)

Plaintiffs,)

v.)

MORGAN ASSET MANAGEMENT, INC.,)
MORGAN KEEGAN & COMPANY, INC.,)
MK HOLDING, INC., REGIONS FINANCIAL)
CORPORATION, REGIONS BANK, MK)
HOLDING, INC., ALLEN B. MORGAN, JR.,)
J. KENNETH ALDERMAN, JACK R.)
BLAIR, ALBERT C. JOHNSON, JAMES)
STILLMAN R. MCFADDEN, W. RANDALL)
PITTMAN, MARY S. STONE, ARCHIE W.)
WILLIS, III, BRIAN B. SULLIVAN, JOSEPH)
C. WELLER, J. THOMPSON WELLER,)
CHARLES D. MAXWELL, MICHELE F.)
WOOD, JAMES C. KELSOE, JR., DAVID H.)
TANNEHILL, and)
PRICEWATERHOUSECOOPERS, LLP,)

Defendants.)

No. 2:08-cv-02694-SHM-tmp

Judge Samuel H. Mays, Jr.
Magistrate Judge Diane K. Vescovo

PLAINTIFFS' NOTICE OF APPEAL

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NOTICE IS HEREBY GIVEN that Richard A. Atkinson, M.D., Patricia B. Atkinson, Diana W. Crump, Frank D. Tutor, Gwendolyn T. Tutor, H. Austin Landers, Jeanette H. Landers, Alabama Elks Trust, Inc., Fred Krimm, Jonathan M. Bloom, Todd R. Leren, Brenda Blatt, Dajalis, Ltd., Larry D. Shaw, Noah B. Kimball, M.D., Robert L. Summit, Jr., M.D., Charles B. Anderson, M.D., Andrea L. Anderson, Elroy N. Schuler, Lisbeth R. Schuler, James H. Frazier, Lloyd R. Thomas, M.D., Albert R. Colombo and Patricia A. Colombo, Phoebe Heckle, Ferd Heckle, Maryan Mercer and John S. Robilio, on behalf of themselves and all others similarly situated, hereby appeal to the United States Court of Appeals for the Sixth Circuit from an Order of the United States District Court for the Western District of Tennessee (Mays, J) dated September 23, 2009 denying Plaintiffs' motion to remand and dismissing Plaintiffs' suit with prejudice. Final judgment was entered on October 15, 2009.

DATED: October 20, 2009

s/ Jerome A. Broadhurst

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that this 20th day of October, 2009, a true and correct copy of the foregoing has been served by electronic means via e-mail transmission (including the Court's ECF System) or by U.S. mail, postage prepaid to the following:

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